Department of Law

Stockholm University

Syllabus

for course at advanced level

Maritime and Transportation Law
Sjö- och transporträtt

15.0 Higher Education Credits
15.0 ECTS credits

Course code:	JU640A
Valid from:	Autumn 2019
Date of approval:	2017-02-08
Changed:	2019-01-18
Department	Department of Law
Main field:	Legal Science
Specialisation:	A1N - Second cycle, has only first-cycle course/s as entry requirements

Decision

Approved by the Education Committee of the Faculty of Law (by delegation) on 13 December 2007. Revised by decision of the Department Board (by delegation) on 18 January 2019.

Prerequisites and special admittance requirements

For admission to lectures and examination, the student must have received a pass grade for compulsory courses totalling at least 150 credits within the law programme. Admission to the course can also be granted to applicants with significant practical experience within the field of maritime and transportation law.

Course structure

Examination code	Name	Higher Education Credits
0100	Maritime and Transportation Law	15

Course content

The maritime and transportation sector represents a key industry within today's global society. The transportation of goods is closely linked to increased international trade and people travel with increasing frequency for both work and leisure. Today's patterns of trade and consumption require increasingly well-developed transportation logistics.

Transportation activities do however also give rise to risks and problems in society. Passengers can suffer injuries or loss of life and incur delays in connection with transports. Goods can be lost, damaged or delayed on their way from seller to buyer. The environment can also be degraded as a result of transports. Oil and other chemicals can leak when ships collide and sink. There is also a growing realization that transportation activities as such contribute to an increased strain on the environment itself and to the disturbance of various ecosystems, for example, through exhaust emissions or by the discharge of foreign organisms from ballast water.

The maritime and transportation sector is also very competitive and capital intensive. This makes not least provisions governing the registration and pledging of ships and aircraft important. The same is true of contracts governing construction as well as those governing the purchase and sale of ships.

Yet another characteristic of the maritime and transportation sector is that it is very much an international sector whose legal problems require resolution through international negotiations between states. Much of the legislation in this field is therefore based on conventions negotiated under the aegis of various UN bodies and

on EU legislation. The agreements used within the transportation sector are commonly international standard agreements. Disputes arising in this field are often of a cross-border nature and are oftentimes resolved through arbitration.

The course will include an analysis of the legal framework governing the maritime and transportation sector. The course is cross-disciplinary in so far as the relevant legal framework comprises rules from international law, public law and civil law. The intention is to provide the student with an overview of this sector from a legal perspective. As compared to the law programme's compulsory courses, the study of maritime and transportation law imparts both broader and deeper legal knowledge. Greater breadth is achieved since maritime and transportation law is not included in the study of compulsory courses; greater depth results since maritime and transportation law adds yet a dimension to the subject areas studied within the compulsory courses. An example of this is civil law, where maritime and transportation law rules interact with the rules of sales law and insurance law.

Learning outcomes

Knowledge and understanding
Upon completion of the course, students are expected to be able to:
– demonstrate knowledge and understanding of maritime and transportation law and insight into current research and development work within this field, and
– demonstrate familiarity with the role of the maritime and transportation sector and knowledge of how the law in this field affects the surrounding society.

Skills and abilities
Upon completion of the course, students are expected to be able to:
– demonstrate an enhanced ability to apply relevant maritime and transportation law rules and to make qualified legal assessments,
– demonstrate an enhanced ability to systematically, critically and independently identify, formulate and analyze maritime and transportation law issues,
– within prescribed time limits plan and author several memoranda and discuss them in a constructive fashion, and
– discuss other students' memoranda in a constructive fashion.

Judgement and approach
Upon completion of the course, students are expected to be able to:
– independently and critically assess and evaluate maritime and transportation law issues with due regard to relevant scientific and societal issues.

Education

Instruction is given in the form of lectures, seminars and feedback on essays. The various forms under which teaching is provided appears in the course description.

Forms of examination

Examination is conducted through
– active attendance at the mandatory seminars,
– authorship of the prescribed memoranda, and
– a written examination.

The seminars are given in English. Memoranda shall be authored in English. The written examination questions may be answered in Swedish or English.

Active attendance means that the student shall have prepared the prescribed assignments and be prepared to participate in discussion of the same.

A student is entitled to be absent from one of the mandatory seminars. The course director can however grant an exemption from attendance at additional seminars in the case of a lawful excuse. The prescribed memoranda shall be submitted even in the event of absence from the seminar. There exists no right to exemption on any other grounds.
Assessment criteria regarding the memoranda:
– problem formulation,
– factual knowledge,
– analysis and argumentation,
– conclusions,
– language,
– formal requirements, and

– ability to carry out the work within specified time frames.

The final grade in the course is based on the written examination. Other tasks are assessed using the grades Pass (G) or Fail (U).

Students who receive a failing grade on a regular examination will have the opportunity to retake the examination. Students who have received a passing grade on an examination may not retake the examination to attain a higher grade. A student who has failed the same examination twice is entitled to have another examiner appointed, Unless there are special reasons to the contrary.
In order to pass the course, students must achieve all intended learning outcomes.

The final course grade is set using the following scale: Pass with Distinction (AB), Pass with Credit (BA), Pass (B) or Fail (U), unless the student request to receive grades according to the seven-point ECTS scale (A-F). The request shall be submitted by the student before the examination date in a manner that has been established by the Department of Law. The grade according to the seven-point scale is then valid instead of the regular grade.

For other students, a seven-point grading scale will be applied. Passing grades according to the seven-point scale are: A (Excellent), B (Very Good), C (Good), D (Satisfactory) and E (Adequate). Failing grades are Fx (Inadequate) or F (Totally Inadequate).

A student with a certificate of special pedagogical support issued by Stockholm University has the right to alternative/accommodated forms of examination in accordance with the certificate.

Misc

Completed course requirements are valid for two years. This also applies to students who drop the course during the early course withdrawal period.

The course requirements in effect at the time of the student's first registration on the course may be completed within two years. After two years, the course requirements included in the most recently revised syllabus will apply.

Entry into force
These provisions will apply as of 2 September 2019.

Required reading

The course literature will be determined by the head of department. Please refer to the course description for information about the required reading. The current reading list will be made available at least two months before the course starts.